

Court of Appeals, State of Michigan

ORDER

Stephanie Alston v Karl Troy

Docket No. 260385

LC No. 04-405611-NO

Kirsten Frank Kelly
Presiding Judge

Kurtis T. Wilder

Christopher M. Murray
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The application for leave to appeal is GRANTED, limited to Issue I raised in the application. MCR 7.205(D)(4). The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(D)(3).

Issue II pertains to the January 19, 2005, order, which defendants failed to identify in their statement of jurisdiction as an order from which they sought leave to appeal and defendants failed to pay an additional entry fee as required under MCL 600.321. See Michigan Court of Appeals IOP 7.205(B)(7)-1. Accordingly, this Court does not have jurisdiction to review this issue.

The motion to waive the stay requirement of MCR 7.209(A)(3) is DENIED AS MOOT due to the recently filing of the stay hearing transcript.

The motion for stay is GRANTED, and the January 7, 2005, order and the hearing requiring the attendance of other victims and witnesses are STAYED pending further order of this Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 02 2005

Date

Sandra Schultz Mengel
Chief Clerk